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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/940,783
Filing Date: August 28, 2001
Appellant(s): PETRYNA, BRIAN J.

Steven J. Hanke (Registration No. 58076)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 01/18/2011 appealing from the Office action mailed 10/15/2010.

(1) Real Part in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 1 – 21 are rejected. Herein, all rejections of claims 1 – 21 are being appealed.

(4) Status of Amendments After Non-Final

The examiner has no comment on the appellant's statement of the status of amendments after non-final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(A) Whether Claim 1 complies with the written description requirement of 35 U.S.C. § 112, first paragraph.

(B) Whether Claim 8 complies with the written description requirement of 35 U.S.C. § 112, first paragraph.

(C) Whether Claim 15 complies with the written description requirement of 35 U.S.C. § 112, first paragraph.

(D) Whether Claims 2-7, 9-14, and 16-21 comply with the written description requirement of 35 U.S.C. §112, first paragraph.

(E) Whether Claim 1 complies with the requirements of 35 U.S.C. §112, second paragraph.

(F) Whether Claim 8 complies with the requirements of 35 U.S.C. §112, second paragraph.

(G) Whether Claim 1 is obvious over the combination of U.S. Patent No. 6,760,324 to Scott, et al. (hereinafter "Scott") and U.S. Patent No. 6,192,045 to Williams, et al.

(hereinafter "Williams") as applied in the Office Action at pages 5 – 7.

(H) Whether Claim 8 is obvious over the combination of Scott and Williams as applied in the Office Action at pages 5 – 7.

(I) Whether Claim 15 is obvious over the combination of Scott and Williams as applied in the Office Action at pages 5 – 7.

(J) Whether Claims 2 – 7, 9 – 14, and 16 – 21, are obvious over the combination of Scott and Williams as applied in the Office Action at pages 7 – 9.

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

6760324	Scott	7-2004
6192045	Williams	2-2001

(9) Grounds of Rejection

The following ground(s) of rejects are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott et al. (US 6760324 B1) in view of Williams et al. (US 6192045 B1).

Regarding claims 1, 8, 15, Scott et al. disclose a system, method, computer for automatically initiating a telephone call over a computer network (*"allows traffic originating on a circuit-switched network to be carried over a packet-switched network" interpreted as initiating a telephone call over a computer network; col. 6, lines 24 – 37, Abstract, lines 1 – 6; Fig. 2, elements 202, 205, 207, 210, 215, 220, 205, 291*), comprising: an address interceptor, associated with a station of a circuit-switched telephone network (*"Gateway server performing bridging of calls between the traditional telecommunication network and IP network, and to translate numbers and routing those numbers to the correct destination gateway" correlates to an address interceptor, associated with a station of a circuit-switched telephone network; Fig. 2, elements 220, 210, gateway server, column 8, lines 37 – 55; element 291, 292 "an ordinary telephone coupling to PSTN"; element 205, "PSTN"; column 11, lines 45 – 55*), that receives calling number identification signals of said first caller from a first telephone call from said first caller to said second caller over said circuit-switched telephone network (*"ANI information or caller ID information" correlates to receives calling number identification signals from said circuit-switched telephone network via a first telephone call; col. 53, lines 51 – 58, col. 61, lines 1 – 8*); and,

Scott et al. also disclose a network call initiator (*interpreted as routing server*), coupled to said address interceptor and associated with a computer network terminal that employs said destination address to automatically initiate said subsequent telephone call to said destination address via said computer network terminal (*"all routes to be configured on the routing server, but automatically distributed to the appropriate gateways and can be also distribute E.164 translation data" interpreted as associated with a computer network terminal that employs said destination address to automatically initiate said subsequent telephone call to said destination address via said computer network terminal*; Fig. 3B, col. 8, lines 60 – 64; element "routing server"; col. 9, lines 1 – 12; col. 59, lines 60 – 65; col. 61, lines 41 – 45; lines 17 – 19; lines 25 – 55; col. 70, lines 15 – 35).

Scott et al. do not disclose explicitly extracting from said calling number identification signals a destination address of said first caller for said subsequent telephone call from said second caller to said first caller.

Williams et al. disclose extracting from said calling number identification signals a destination address of said first caller for said subsequent telephone call from said second caller to said first caller (*"detects an incoming phone call,.....extract the Automatic calling number Identification (ANI) information.....Fig. 4, Fig. 6, Fig. 7, col. 2, lines 37 – 42, lines 58 – 67, col. 3, lines 1 – 2; col. 5, lines 59 – 67, col. 6, lines 1 – 21*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Scott et al. to include the features of extracting from said calling number identification signals a destination address of said first caller

for said subsequent telephone call from said second caller to said first caller as taught by Williams et al. in order to provide computer data transmission and more particularly to the transmission of setup data over the Public Switched Telephone Network (PSTN) between geographically distant computers (*as suggested by Williams et al., see col. 1, lines 6 – 9*).

Regarding claims 2, 9, 16, Scott et al. disclose the limitation of a system, method, computer as recited in claimed wherein said calling number identification signals and said destination address are associated with a single location (*“caller ID information” correlates to said calling number identification signals, and “Destination Number type and Destination number Plan” correlates to destination address are associated with a single location; col. 53, lines 51 – 58; col. 61, lines 1 – 9*).

Regarding claims 3, 10, 17, Scott et al. disclose the limitation of a system, method, computer as recited in claimed wherein said destination address is selected from the group consisting of: a telephone number (col. 69, lines 37 – 41; col. 70, lines 2 – 8), an Internet Protocol address (col. 39, lines 16 – 17), a Voice over Internet Protocol (VoIP) gateway address (col. 11, line 52; col. 74, lines 3 – 5), and a VoIP gateway address combined with a telephone number (col. 73, lines 41 – 56; lines 66 – 67; col. 74, lines 1 – 5).

Regarding claims 4, 11, 18, Scott et al. disclose the limitation of a system, method, computer as recited in claimed wherein said computer network is the Internet (Fig. 1B, element 120; Fig. 2, element 215; col. 1, lines 56 – 57).

Regarding claims 5, 12, 19, Scott et al. disclose the limitation of a system, method, computer as recited in claimed wherein said station leaves unanswered a call transmitting said calling number identification signals (*col. 53, lines 43 – 47; lines 51 – 58, elements Unanswered Rings, Caller ID information can be associated with each port of the MSI/SC*).

Regarding claims 6, 13, 20, Scott et al. disclose the limitation of a system, method, computer as recited in claimed wherein said calling number identification signals are associated with a second station, said second station hanging up after a predetermined number of unanswered rings (*col. 50, lines 38 – 40, lines 43 – 46; “wait for maximum number of rings on the outbound call before it gives up, outbound call” correlates to the second station hanging up after a predetermined number of unanswered rings; col. 53, lines 43 – 47*).

Regarding claims 7, 14, 21, Scott et al. disclose the limitation of a system, method, computer as recited in claimed wherein said station and said computer network terminal are embodied in a computer (*Fig. 2, elements 210, 220; col. 6, lines 38 – 42*) and wherein a single telephone line alternatively couples said station to said circuit-switched telephone network (*Fig. 2, elements 201, 202, 205; col. 6, lines 30 – 36*) and said computer network terminal to said computer network (*Fig. 2, elements 293, 215; col. 4, lines 9 – 17, personal computers, to be on the same local area network (LAN) as long as they are connected via an IP network*).

(10) Response to Argument

(A). In Grounds of Rejection (A), the written description rejection of Claim 1 is improper because the limitations of Claim 1 which the Examiner alleges were not described in the original specification were described as noted below.

In pages 6 to 8, appellant argues that At Item 2 at the middle of page 3 in the Office Action, the Examiner alleges that neither a first caller nor second caller, as recited in pending independent Claim 1 "are not disclosed and were not described in the specification at the time the application was originally filed." The application as originally filed describes a system where a telephone call can automatically be initiated over a computer network. (*See, e.g.*, lines 5-14 on page 8 of the original specification.) For a telephone call to be completed, as the original specification discloses, one of ordinary skill in the art at the time of the invention would understand that the automatically initiated call must be between two callers. Pending independent Claim 1 recites one of those callers as a "first caller" and the other caller as a "second caller." These callers could have been described as "caller A" and "caller B". The descriptors of the callers are not relevant as the original specification discloses an automatically generated call is initiated.

The first paragraph of 35 U.S.C. §112 states:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The first paragraph of 35 U.S.C. § 112 requires that the specification shall contain a written description of the invention in terms as to enable any person skilled in the art to make and use the invention. Since the original specification, as noted above, describes an automatically initiated call, a person skilled in the art would understand

that the call would be between a first caller and a second caller and, as such, the written description of an automatically initiated call in the original specification would enable the person skilled in the art to make and use the invention. Thus, pending independent Claim 1 complies with the requirement of the first paragraph of 35 U.S.C. § 112 and the rejection of Claim 1 is improper."

In response to Appellant's argument addressed above, with respect to claim 1 have been fully considered and are persuasive.

Examiner respectfully agrees with the argument. The rejection of claim 1 under 35 U.S.C. § 112 first paragraph has been withdrawn.

(B). In Grounds of Rejection (B), the written description rejection of Claim 8 is improper because the limitations of Claim 8 which the Examiner alleges were not described in the original specification were described as noted below.

Appellant argues that "For the same reasons given above with regard to Grounds of Rejection (B), pending independent Claim 8 complies with the requirements of 35 U.S.C. §112, first paragraph and, therefore, the rejection is improper."

In response to Appellant's argument addressed above, with respect to claim 8 have been fully considered and are persuasive.

Examiner respectfully agrees with the argument. The rejection of claim 8 under 35 U.S.C. § 112 first paragraph has been withdrawn.

(C). In Grounds of Rejection (C), the written description rejection Of Claim 15 is improper because the limitations of Claim 15 which the Examiner alleges were not described in the original specification were described as noted below.

Appellant argues that "For the same reasons given above with regard to Grounds of Rejection (B), pending independent Claim 15 complies with the requirements of 35

U.S.C. § 112, first paragraph and, therefore, the rejection is improper.”

In response to Appellant’s argument addressed above, with respect to claim 15 have been fully considered and are persuasive.

Examiner respectfully agrees with the argument. The rejection of claim 15 under 35 U.S.C. § 112 first paragraph has been withdrawn.

(D). In Grounds of Rejection (D), the written description rejections of Claims 2-7, 9-14, and 16-21 are improper.

Claims 2-7

Appellant argues that “Claims 2-7 comply with the requirements of 35 U.S.C. § 112, first paragraph, as applied by the Office Action, at least, by their dependence on pending independent Claim 1.”

Claims 9-14

Appellant argues that “Claims 9-14 comply with the requirements of 35 U.S.C. § 112, first paragraph, as applied by the Office Action, at least, by their dependence on pending independent Claim 8.”

Claims 16-21

Appellant argues that “Claims 16-21 comply with the requirements of 35 U.S.C. § 112, first paragraph, as applied by the Office Action, at least, by their dependence on pending independent Claim 15.”

In response to Appellant’s argument addressed above, with respect to claims 2 – 7, 9 – 14, 16 – 21, have been fully considered and are persuasive.

Examiner respectfully agrees with the argument. The rejections of claims 2 – 7, 9 – 14, 16 – 21, under 35 U.S.C. § 112 first paragraph have been withdrawn.

(E). In Grounds of Rejection (E), the indefiniteness rejection of Claim I is improper.

Appellant then argues that “At Item 3 at the bottom of page 4 in the Office Action, the Examiner alleges that it is unclear what is the first caller and what is the second caller. As noted above in section (A), Fig. 1 of the original specification, and heading v) above, telephone station 110 and computer system 130 belong to the claimed first caller and computer system 150 belongs to the claimed second caller. A first call is placed from the first caller’s telephone station 110 to an address interceptor 140 and the second caller’s computer system 150 where address interceptor 140 extracts a destination address of the first caller’s computer system 130 from calling number identification signals sent with the first call. Then, a network call initiator of the second caller’s computer system 150 employs the destination address of the first caller’s computer system to automatically initiate a subsequent call from the second caller’s computer system 150 to first caller’s computer system 130 over computer network 160.

The second paragraph of 35 U.S.C. § 112 states:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

It is clear, as established above, that the claimed first caller uses the telephone station 110 (to place the first call to the second caller’s computer system 150) and the second caller uses the computer system 150 (to automatically initiate a subsequent call back to the first caller’s computer system 110 over computer network 160). AS such, pending independent Claim 1 complies with the requirements of the second paragraph of 35 U.S.C. § 112 and is definite. Therefore, the rejection of Claim 1 is improper.

In response to Appellant's argument addressed above, with respect to claim 1 have been fully considered and are persuasive.

Examiner respectfully agrees with the argument. The rejection of claim 1 under 35 U.S.C. § 112 second paragraph has been withdrawn.

(F). In Grounds of Rejection (F), the indefiniteness rejection of Claim 8 is improper.

Appellant then argues that "For at least the same reasons given in Grounds of Rejection (E) above, pending independent Claim 8 is definite. Thus, pending independent Claim 8 complies with the requirements of 35 U.S.C. §112, second paragraph and, therefore, the rejection is improper."

In response to Appellant's argument addressed above, with respect to claim 8 have been fully considered and are persuasive.

Examiner respectfully agrees with the argument. The rejection of claim 8 under 35 U.S.C. § 112 second paragraph has been withdrawn.

(G). In Grounds of Rejection (G), the obviousness rejection of Claim 1 is improper because it relies on Scott to teach features which are not taught in the cited portions of Scott.

Appellant further argues that "At item 5 at the middle of page 5 of the Office Action, the Examiner relies on Scott to teach automatically initiating (at page 5 of the Office Action) a subsequent telephone call (at page 6 of the Office Action). The cited portions of Scott relied upon by the Examiner disclose a gateway server 210 used to interface between public switched telephone network (PSTN) 205 and an Interact Protocol (IP) network 215. Services are provided by the gateway server 210, e.g.: properly route calls over IP network 215 (see, e.g., line 60 of column 8 through line 12 of column 9 of Scott); select a service to handle an incoming call (see, e.g., lines 60-65

of column 59 of Scott); assign users to a line group (see, e.g., lines 17-19 of column 61 of Scott); use a privilege level to restrict routes (see, e.g., lines 25-40 of column 61 of Scott); treat DNIS/DID information as the number the user wants to call (see, e.g., lines 40-55 of column 61 of Scott); and translate digits entered by the user into E. 164 form with an E.164 parser (see, e.g., lines 15-35 of column 70 of Scott). As such, this portion of Scott teaches a first call from a first caller of a public switched telephone network to a second caller of an Internet Protocol network.

Claim 1 (and Claims 8 and 15) recite "A system for automatically initiating a subsequent telephone call over a computer network from a second caller to a first caller" (emphasis added.) As noted above, the invention as presently claimed teaches a first caller, using a telephone station 110, calls a second caller's computer system 150 over PSTN 120 with a first call and then the second caller's computer system 150 automatically initiates a subsequent call back to the first caller's computer system 130 over computer network 160 using a destination address extracted by address interceptor 140. Thus, while the cited portions of Scott relied upon by the Examiner may teach the claimed first call from a first caller to a second caller, the cited portions of Scott do NOT teach initiating a subsequent telephone call from the second caller back to the first caller via a computer network as presently claimed.

As such, the cited portions of Scott do not teach or suggest each and every element of pending independent Claim 1. Williams has not been cited to cure this deficiency of Scott. For at least these reasons, the cited portions of the cited combination of Scott and Williams, as applied by the Examiner, do not provide a *prima facie* case of obviousness for pending independent Claim 1 and, therefore, the obviousness rejection is improper."

In response to the appellant's argument as stated above, Examiner respectfully disagrees.

Applicants are reminded that, although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). It is reminded that one with

ordinary skill in the art is to give claims their broadest reasonable interpretation in the of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997).

In response to Appellant's argument that "the cited portions of the cited combination of Scott and Williams, as applied by the Examiner, do not provide a *prima facie* case of obviousness for pending independent Claim 1 and, therefore, the obviousness rejection is improper." Examiner respectfully disagrees with appellant's assessment. The Examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. In re Nomiya, 184 USPQ (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the combination of disclosure taken as a whole would suggest to one of ordinary skill in the art. In re McLaughlin, 170 USPQ 209 (CCPA 1971). References are evaluated by what they suggests to one versed in the art, rather than by their specific disclosures. In re Bozek, 163 USPQ 545 (CCPA) 1969.

Hence, Examiner contends the combined system of references Scott et al. and Williams et al. teaches all the limitations as disclosed in claim 1 (claims 8 and 15, respectively).

Examiner interpreted "automatically initiating a telephone call over a computer network" as "allows traffic originating on a circuit-switched network to be carried over a packet-switched network"; SEE Scott et al. col. 6, lines 24 – 37, Abstract, lines 1 – 6; Fig. 2, elements 202, 205, 207, 210, 215, 220, 205, 291, wherein Fig. 2 shows and

indicates clearly that calls can be made any-to-any, that is, calls can be made from element 201 to element 202 in element 205 PSTN network, or element 201 in network 205 to element 291/292 in 205 PSTN network via element 215 IP network which is interpreted as computer network or packet-switched network; or calls can be made from element 291/292 in network 205 to element 201/202 in 205 PSTN network via element 215 IP network, etc., element 201/202 can be interpreted as first caller and element 291/292 can be interpreted as second caller/callee or vice versa. Reference Scott et al. disclose all the claimed subject matters as in claim 1, please refer to item (9) Grounds of Rejection. However, reference Scott et al. do not disclose explicitly extracting from said calling number identification signals a destination address of said first caller for said subsequent telephone call from said second caller to said first caller. Reference Williams et al. remedy the deficiencies of Scott et al. by disclosing expressly the claimed subject matter of extracting from said calling number identification signals a destination address of said first caller for said subsequent telephone call from said second caller to said first caller.

Examiner interpreted "extracting from said calling number identification signals a destination address of said first caller for said subsequent telephone call from said second caller to said first caller" as "detects an incoming phone call,...., extract the Automatic calling number Identification (ANI) information.....dial-out to data network..."; see Williams et al., Fig. 4, Fig. 6, Fig. 7, col. 2, lines 37 – 42, lines 58 – 67, col. 3, lines 1 – 2; col. 5, lines 59 – 67, col. 6, lines 1 – 21.

The rejection of claim 1 under 35 U.S.C. 103(a) as being unpatentable over Scott et al. in view of Williams et al. sustains

(H). In Grounds of Rejection (H), the obviousness rejection of Claim 8 is improper because it relies on Scott to teach features which are not taught in the cited portions of Scott.

Appellant then argues that "For at least the same reasons given above in Grounds of Rejection (G), the cited portions of the cited combination of Scott and Williams, as applied by the Examiner do not provide a *prima facie* case of obviousness for pending independent Claim 8 and, therefore, the obviousness rejection is improper.

In response to the appellant's argument as stated above, Examiner respectfully disagrees.

In response to Appellant's argument that "the cited portions of the cited combination of Scott and Williams, as applied by the Examiner, do not provide a *prima facie* case of obviousness for pending independent Claim 8 and, therefore, the obviousness rejection is improper." Examiner respectfully disagrees with appellant's assessment. The Examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. In re Nomiya, 184 USPQ (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the combination of disclosure taken as a whole would suggest to one of ordinary skill in the art. In re McLaughlin, 170 USPQ 209 (CCPA 1971). References are evaluated by what they suggests to one versed in the art, rather than by their specific disclosures. In re Bozek, 163 USPQ 545 (CCPA) 1969.

Examiner contends the combined system of references Scott et al. and Williams et al. teaches all the limitations as disclosed in claim 8. The same rationale for argument is provided as indicated in item (G) above.

Hence, the rejection of claim 8 under 35 U.S.C. 103(a) as being unpatentable over Scott et al. in view of Williams et al. sustains.

(I). In Grounds of Rejection (I), the obviousness rejection of Claim 15 is improper because it relies on Scott to teach features which are not taught in the cited portions of Scott.

Appellant also argues that "For at least the same reasons given above in Grounds of Rejection (G), the cited portions of the cited combination of Scott and Williams, as applied by the Examiner do not provide a *prima facie* case of obviousness for pending independent Claim 15 and, therefore, the obviousness rejection is improper."

In response to Appellant's argument that "For at least the same reasons given above in Grounds of Rejection (G), the cited portions of the cited combination of Scott and Williams, as applied by the Examiner do not provide a *prima facie* case of obviousness for pending independent Claim 15 and, therefore, the obviousness rejection is improper." Examiner respectfully disagrees with appellant's assessment. The Examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. In re Nomiya, 184 USPQ (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the

combination of disclosure taken as a whole would suggest to one of ordinary skill in the art. In re McLaughlin, 170 USPQ 209 (CCPA 1971). References are evaluated by what they suggests to one versed in the art, rather than by their specific disclosures. In re Bozek, 163 USPQ 545 (CCPA) 1969.

Examiner contends the combined system of references Scott et al. and Williams et al. teaches all the limitations as disclosed in claim 15. The same rationale for argument is provided as indicated in item (G) above.

Hence, the rejection of claim 15 under 35 U.S.C. 103(a) as being unpatentable over Scott et al. in view of Williams et al. sustains.

(J). In Grounds of Rejection (J), the obviousness rejections of Claims 2-7, 9-14, and 16-21 are improper.

Claims 2-7:

Appellant argues that "Claims 2-7 are non-obvious over the combination of Scott and Williams, as applied by the Office Action, at least, by their dependence on pending independent Claim 1. See Grounds of Rejection (G)."

Claims 9-14:

Appellant argues that "Claims 9-14 are non-obvious over the combination of Scott and Williams, as applied by the Office Action, at least, by their dependence on pending independent Claim 8. See Grounds of Rejection (H)."

Claims 16-21:

Appellant argues that "Claims 16-21 are non-obvious over the combination of Scott and Williams, as applied by the Office Action, at least, by their dependence on pending independent Claim 15. See Grounds of Rejection (I)."

In response to the appellant's argument as stated above, Examiner respectfully disagrees.

Since the rejections of claims 1, 8, 15 under 35 U.S.C. 103(a) as being unpatentable over Scott et al. in view of Williams et al. sustains, and claims 2 – 7, 9 – 14, and 16 – 21 are dependent upon independent claims 1, 8, 15, respectively.

The rejections of claims 2 – 7, 9 – 14, and 16 – 21 under 35 U.S.C. 103(a) as being unpatentable over Scott et al. in view of Williams et al. also sustain.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Andrew C. Lee/

Examiner, Art Unit 2476

Conferees:

/Phirin Sam/

Primary Examiner, Art Unit 2476

/Ayaz R. Sheikh/

Supervisory Patent Examiner, Art Unit 2476